

Attorney Docket No. P13578-US2

REMARKS/ARGUMENTS

The Applicant appreciates the thorough examination of the present application as reflected in the Official Action mailed January 5, 2004. The Applicant also appreciates the indication of allowable subject matter in Claim 10. The Applicant submits that the remaining claims are neither disclosed nor suggested by the cited references for the reasons discussed below. Amendments to the claims are discussed in more detail below. Accordingly, the Applicant requests allowance of the present application.

1.) Claim Amendments

The Applicant has amended claims 1 and 11. Accordingly, claims 1 through 19 are pending in the application.

2.) Claim Rejections – 35 U.S.C. § 102(e)

The Examiner rejected claims 1-9 and 11-19 under 35 U.S.C. § 102(e) as being anticipated by Rappaport, et al. (US 5,722,043). The Applicant has amended the claims to better define the intended scope of the claimed invention. To the extent that this rejection still applies to the amended claims, the Applicant respectfully traverses this rejection.

The Applicant has amended claims 1 and 11 to clearly delineate that the claims relate to a system and method for increasing the spectral efficiency of a wireless telecommunications system within a cell. For instance, claim 1 states:

1. (Original) A method for increasing the spectral efficiency of a wireless telecommunications system within a cell, said method comprising the steps of:
 - dividing a plurality of channels within the cell of said wireless telecommunications system into a plurality of logical groups for the cell;
 - mapping a first group of said plurality of logical groups onto a first plurality of radio resources within the cell; and
 - mapping at least one other group of said plurality of logical groups for the cell onto a second plurality of radio resources within the cell, at least one radio resource in said second plurality of radio resources corresponding to at least one radio resource in said first plurality of radio resources.

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In contrast, Rappaport presents an invention to "provide a cellular communication method and apparatus wherein cell gateways can borrow channels from adjacent cellular gateways without the use of channel locking" and "carriers are lent to adjacent cells and the carrier are efficiently returned to the lending cells." (Rappaport, col. 3, lines 19-22 and col. 3, lines 59-60). Thus, there is no question that Rappaport clearly does not teach the elements of the claim. Therefore, the Applicant respectfully requests that the §102 rejection be withdrawn.

Claims 2 through 9 depend from amended claim 1 and recite further limitations in combination with the novel elements of claim 1. Therefore, the allowance of claims 2 through 9 is respectfully requested.

Claim 11 is allowable for the same reasons that claim 1 is allowable. Claims 12 through 19 depend from amended claim 11 and recite further limitations in combination with the novel elements of claim 11. Therefore, the allowance of claims 12 through 19 is also respectfully requested.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and Issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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